

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TERRY W. ROY,  
Plaintiff,

v.

CITY OF GARDNER, CHARLES J. MANCA,  
Individually and in his Capacity as  
Mayor of the City of Gardner, JAMES E.  
DUFORT, Individually and in his  
Capacity as Chief of Police for the  
City of Gardner, and ROGER WRIGLEY,  
Individually and in his Capacity as a  
Sergeant for the Gardner Police  
Department,  
Defendants.

Civil Action No.  
01-40137-NMG

ORDER

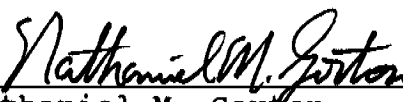
DOCKETED

GORTON, J.

For the reasons set forth in a Memorandum to follow,  
defendants' motion to dismiss (Docket No. 4) is:

- 1) with respect to Counts I, III, IV, V, VI, VIII (as to  
malicious prosecution) and IX, **ALLOWED**; and
- 2) with respect to Counts II, VII, VIII (as to abuse of  
process) and X, **DENIED**.

So ordered.

  
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Nathaniel M. Gorton  
United States District Judge

Dated: September 30, 2002

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